

FILED

SEP 10 2003

LARRY W. PROPPES, CLERK
U. S. DISTRICT COURTIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

ChemPro, Inc. ,)	Civil Action No. 3:07-2825-20
)	
Plaintiffs,)	
)	
vs.)	<u>AMENDED RULE 26.01 DISCLOSURES</u>
)	<u>OF CHEP USA</u>
Chep USA,)	
)	
Defendants.)	
)	

Defendant Chep USA hereinafter ("Defendant"), hereby submits its answers to Local Civil Rule 26.01, D.S.C., Interrogatories.

(A) State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: Defendant is unaware of any persons or legal entities who may have a subrogation interest in any of the claims asserted in this action.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

ANSWER: Plaintiff has requested a jury trial.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: Current ownership of Chep USA is as follows: Chep USA is a New York general partnership. Its partners are Brambles Services, Inc. (“BSI”) which maintains 49.5% ownership of Chep USA , Brambles Industries, Inc. (“BII”) which maintains 49.5% ownership of Chep USA and Recall Services LLC (“RS”) which maintains 1.0% ownership of Chep USA. BII and BSI are both Delaware corporations with principal places of business in Chicago, Illinois. Both are owned by Bramble Industries Limited which is listed and traded on the Australian Stock Exchange and Brambles Industries plc which is listed and traded on the London Stock Exchange.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: This case is being removed from state court in Spartanburg County, South Carolina.

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER: Upon information and belief, this action is not related in whole or in part to any other matter in the District of South Carolina known to Defendant.

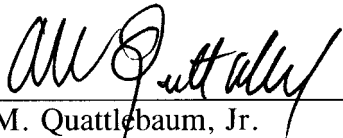
(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: Defendant is properly identified.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: Defendant denies any liability and at this time does not know whether any other party is wholly or partly responsible. Defendant reserves the right to identify party's believed wholly or partly responsible at a later time.

NELSON MULLINS RILEY & SCARBOROUGH, L.L.P.

By: 
A.M. Quattlebaum, Jr.
ID No. 5052
Poinsett Plaza, Suite 900
104 South Main Street
Post Office Box 10084
Greenville, SC 29601
(803) 250-2300

Attorneys for Chep USA

Greenville, South Carolina
9/10, 2003

CERTIFICATE OF SERVICE

I, the undersigned of the law offices of Nelson Mullins Riley & Scarborough, L.L.P., attorneys for Attorneys for Chep USA do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

Amended Rule 26.01 Disclosures of Chep USA

Counsel Served:

Kenneth E. Darr, Jr.
Lyles, Darr & Clark, LLP
PO Box 5726
Spartanburg, SC 29304-7526

9 / 10, 2003

Frances Smith